

DOCKET FILE COPY ORIGINAL

RECEIVED

JUL 11 1996

FCC MAIL ROOM

Before the

**FEDERAL COMMUNICATIONS COMMISSION**

**Washington, D.C.**

**MM Docket No. 96-16**

**Ham Broadcasting Co., owner of WKDZ and WKDZ-FM, Cadiz, Ky., a town of 2,000 people in a county of 10,000 people, wishes to offer its comments in the FCC's EEO Rulemaking.**

**We would like to encourage the Commission to raise its threshold for EEO compliance to more than ten employees before any of the Commission's EEO rules are applicable. There are several reasons for this.**

**Masses of stations such as ours would be relieved of incredibly ominous, time consuming, and expensive compliance with the current rules. This could actually allow stations to allocate more resources to doing what they are supposed to do – serving their communities.**

**The current rules are unrealistic for small market broadcasters. When an opening occurs, you have two weeks, at best, to fill it. When someone quits suddenly or is**

No. of Copies rec'd  
List A B C D E

014

**fired, you have less time. In small stations, the absence of one employee places a terrific burden on the others, including the manager, who then has the additional added task of notifying recruitment sources, etc. With a small staff, sometimes the vacancies occur when others have already asked off or have vacations planned. We must simply be able to move more quickly. Additionally, when a vacancy occurs, another employee might feel a right of seniority to that job. When you tell him you must recruit for it, clearly sending the message that his good service to the company may be rewarded by bringing in someone with less experience from the outside for the job, you may have two openings to fill. At best you have disgruntled employees. To raise the threshold would greatly alleviate if not altogether eliminate all of these problems.**

**While there may be some few stations that still discriminate in the hiring of women and other minorities, we do not believe that to be a significant problem in today's small market environment. Our experience of the last few years has been that there are so few people who want to go into radio because of the pay and particularly the hours (nights, weekends, holidays), the goal now has become simply to fill the slots with ANY qualified individual. Automation has taken away the glitter of many radio jobs such as disc jockeys or air personalities, particularly in smaller markets and people simply don't want to work in**

**radio as they once did. So there is little opportunity to choose from among several qualified candidates. We are lucky to find one. Any luxury to be "choosy" about who you can hire, if there ever was one, is long gone in today's workforce and marketplace.**

**Another consideration is that small stations may intentionally keep their workforce under five so that they do not have the burden of the record keeping and reporting requirements. If a threshold was set at more than ten employees before any EEO requirements became effective, additional jobs could be created because station owners can have twice as many employees without having the EEO burdens. More jobs mean more opportunities for minorities to be hired. IT IS THE EEO RECORD KEEPING, REPORTING, AND RECRUITING REQUIREMENTS, NOT THE HIRING OF MINORITIES, THAT IS THE PROBLEM. This doubling of the threshold also seems consistent with an apparent trend now in both political parties and much of the country in general calling for the easing and in some cases abolition of Affirmative Action and quota type programs, with the courts now striking such programs down frequently.**

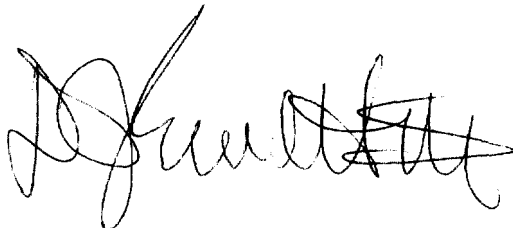
**Thus we encourage the Commission to raise the threshold for EEO compliance to a minimum of more than ten full time employees, preferably fifteen. The threshold should apply to any station, regardless of market size or any**

**other factors, that has less than the threshold number of employees.**

**Tantamount is that the Commission relieve all stations under the threshold from its EEO requirements so that EEO compliance cannot be an issue for license renewal. If the station had more than ten employees during a part of the license term, it should have to comply with the EEO rules during the time it had more than ten employees. No compliance should be required during times of less than ten employees.**

**Submitted July 3, 1996.**

**Ham Broadcasting Co., Inc.**

A handwritten signature in black ink, appearing to read "D. J. Everett III", with a stylized, cursive script.

**D. J. Everett III, President**